

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

CHAUNTINI C. ABDALLA,)	
)	
Plaintiff,)	
)	
v.)	No. 2:02-CV-186
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This matter is before the court on the magistrate judge's February 8, 2008 report and recommendation [doc. 30], which recommended that plaintiff's motion for \$2,700.00 in attorney fees under 28 U.S.C. § 406(b) [doc. 29] be approved. The government has filed no opposition to either the motion or the report and recommendation.

After a careful review of this matter, the court must respectfully disagree with the magistrate judge's conclusion. Appended to plaintiff's motion is counsel's billing statement, charging at a minimum increment of one-quarter hour rather than the traditional minimum billing increment of one-tenth of an hour. Counsel's billing practice seeks to charge the government fisc for fifteen minutes of time, for example, to review an order of reassignment. The court finds counsel's use of quarter hour minimum billing increments to be excessive and unacceptable.

The report and recommendation is respectfully **REJECTED IN WHOLE** under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). It is **ORDERED** that plaintiff's motion [doc. 29] is **DENIED WITH LEAVE TO RENEW**. If plaintiff refiles her motion, it must be supported by a billing statement which - using one-tenth hour increments - more accurately sets forth the time devoted to this case.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge